



EV 351 923 197 US: Express Mail Number

November 17, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Timothy A. Stewart,
Elizabeth Tomlinson,
Audrey Goddard , and
Austin Gurney**

Title: **Fibroblast Growth Factor-19 (FGF-19) Nucleic Acids and Polypeptides and Methods of use for the Treatment of Obesity**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This application (i) is a continuation of U.S. application Serial No. 09/522,342, filed March 9, 2000, which is a continuation in part of U.S. application Serial No. 09/284,663, filed April 15, 1999, now abandoned, which is a continuation of U.S. application Serial No. 09/158,342, filed September 21, 1998, now abandoned, to which applications priority is claimed under 35 USC § 120, and (ii) claims priority to provisional application Serial Number 60/066,840, filed November 25, 1997, now abandoned, to which application priority is claimed under 35 USC § 119, the entire disclosures of which are hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

122 pages of specification
3 pages of claims
1 page(s) of abstract
10 sheet(s) of drawings
☐ formal ☒ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)

___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

___ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

___ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)

x The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

___ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

___ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	21	- 20 =	1	X \$18.00	\$18.00
Independent Claims	7	- 3 =	4	X \$86.00	\$344.00
— Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$1,132.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,132.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

- x A petition, fee and/or response has been filed to extend the term in the pending prior application until November 17, 2003
- x A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Atulya R. Agarwal, Ph.D.
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: November 17, 2003

By: 

Atulya R. Agarwal, Ph.D.
Reg. No. 40,887
Telephone No. (650) 4463

1 DNA Way
South San Francisco, CA 94080-4990
Facsimile No. (650) 952-9881

CUSTOMER NO: 09157